

MINUTES
COMMITTEE ON LAW & LICENSING

September 11, 2012 - 2:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek, Ald. Julie Kath, Ald. Susan Lessard, Ald. Scott Lewandoske
Others in Attendance: Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Ald. Joseph Heidemann, Brian K. Hahn, Katherine M. Walcott, Eric P. Turner, Thomas E. Miller, Steven A. Wagner, Stacey A. Stoltzman, Joseph E. Jantz

Chairperson VanderWeele called the meeting to order at 2:00 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meeting held August 28, 2012 was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

R.O. No. 107-12-13 (8-6-12) – Various License Applications: Bev. Op. Lic. App. No. 9661 (Haleigh C. Schelk); Taxicab Op. Lic. App. Nos. 9654 (Scott Ramone Goines, Jr.), 9496 (Brian K. Hahn), 9660 (Charleen M. Johnson), 9645 (Rachel S. Sizonen), 9649 (Nancy A. Valentine), 9663 (Katherine M. Walcott)

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Haleigh C. Schelk failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Schelk's failure to accurately reveal all relevant convictions on her application and her failure to cooperate with the committee. **All ayes; motion approved.**

Scott Ramone Goines, Jr. failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Mr. Goines' failure to cooperate with the committee. **All ayes; motion approved.**

Brian K. Hahn appeared before the committee to discuss his application. During the discussion of his record, Mr. Hahn informed the committee that he no longer wants a taxicab operator's license and wished to withdraw his application. Ald. Matichek moved, seconded by Ald. Lessard, to accept the withdrawal and file the application. **All ayes; motion approved.**

Charleen M. Johnson failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Johnson's failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and her failure to cooperate with the committee. **All ayes; motion approved.**

Rachel S. Sizonen failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Sizonen's failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and her failure to cooperate with the committee. **All ayes; motion approved.**

Nancy A. Valentine failed to appear before the committee. Ald. Kath moved, seconded by Ald. Matichek, to deny the license application based upon Ms. Valentine's failure to accurately reveal all relevant convictions on her application and her failure to cooperate with the committee. **All ayes; motion approved.**

Katherine M. Walcott appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on his application, Ald. Kath moved, seconded by Ald. Matichek, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

R.O. No. 117-12-13 (8-20-12) – Various License Applications: Bev. Op. Lic. App. Nos. 9676 (Hanna J. Gustafson), 9680 (Majestica L. Lorenz), 9671 (Tina H. Mann), 9668 (Eric P. Turner); Taxicab Op. Lic. App. Nos. 9684 (Brent Allen Barron), 9674 (Nicholas W. Daily), 9681 (Matthew D. Fogle), 9675 (Eugenia M. Garrison), 9672 (Rachel A. Leist), 5811 (Thomas E. Miller), 9678 (Kia Vang), 9670 (Steven A. Wagner)

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Hanna J. Gustafson failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Gustafson's appearance before the committee at its September 25th meeting. **All ayes; motion approved.**

Majestica L. Lorenz failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Lorenz's appearance before the committee at its September 25th meeting. **All ayes; motion approved.**

Tina H. Mann failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Mann's appearance before the committee at its September 25th meeting. **All ayes; motion approved.**

Eric P. Turner appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Matichek moved, seconded by Ald. Lessard, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Brent Allen Barron failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Barron's appearance before the committee at its September 25th meeting. **All ayes; motion approved.**

Nicholas W. Daily failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Daily's appearance before the committee at its September 25th meeting. **All ayes; motion approved.**

Matthew D. Fogle failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Fogle's appearance before the committee at its September 25th meeting. **All ayes; motion approved.**

Eugenia M. Garrison failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Garrison's appearance before the committee at its September 25th meeting. **All ayes; motion approved.**

Rachel A. Leist failed to appear, but had contacted the City Attorney's Office to indicate that she was unable to appear. Ms. Leist was instructed to appear at the September 25th meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold the application until the September 25th meeting and to call in Ms. Schelk by regular mail. **All ayes; motion approved.**

Thomas M. Miller appeared before the committee to discuss his application. During the discussion of his record, Mr. Miller informed the committee that he no longer wants a taxicab operator's license and wished to withdraw his application. Ald. Matichek moved, seconded by Ald. Lessard, to accept the withdrawal and file the application. **All ayes; motion approved.**

Kia Vang failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Matichek, to request via certified mailing Ms. Vang's appearance before the committee at its September 25th meeting. **All ayes; motion approved.**

Steven A. Wagner appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Matichek moved, seconded by Ald. VanderWeele, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Two ayes and three nays (Ald. Kath, Ald. Lessard and Ald. Lewandoske); motion failed.** Ald. Kath moved, seconded by Ald. Lessard, to deny the license application based upon Mr. Wagner's failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity. **Three ayes and two nays (Ald. Matichek and Ald. VanderWeele); motion approved.**

Possible action regarding Bev. Op. Lic. No. 4518 (Stacey A. Stoltzman)

Stacey A. Stoltzman appeared before the committee to discuss the sale of tobacco to a minor from the Wisconsin WINS program on July 24, 2012. Ms. Stoltzman informed the committee that she read the date on the ID wrong and will be more careful in the future. Ald. Lessard moved, seconded by Ald. Kath, to issue a warning to Stacey A. Stoltzman regarding the sale of tobacco to a minor on July 24, 2012. **All ayes; motion approved.**

Update regarding Alc. Bev. Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent)

ACA Adams informed the committee that Joseph Jantz has requested a quasi-judicial hearing. Ald. Kath stated that she was not present at the meeting when the law violation was discussed and she disagrees with the voluntary surrender request. Ald. Kath inquired whether or not any of the three committee members who voted in favor of the voluntary surrender request would reconsider their vote. They did not wish to reconsider their votes.

Update regarding Alc. Bev. Lic. No. 2720-Rehab Bar & Grill (Rufino C. Martinez, Jr., Agent) and Bev. Op. Lic. No. 5551 (Amanda K. Martinez)

ACA Adams informed the committee that Rufino C. Martinez, Jr. has requested a quasi-judicial hearing. Mr. Martinez had informed ACA Adams verbally that Amanda Martinez also wants a quasi-judicial hearing; however, she has not yet made that request in writing.

Discussion and possible action regarding taxicab regulations

ACA Adams provided the committee with a draft general ordinance regarding taxicab regulations and the document was discussed in detail. The committee also discussed independent companies that lease the cabs to the drivers and the possibility of having fares being based on “zones.”

Ald. Lessard was excused from the meeting at 3:17 p.m.

Ald. Matichek moved, seconded by Ald. Kath, to submit the proposed taxicab regulation ordinance to the common council with a request to refer the document back to Law & Licensing for any final revisions. **Four ayes; motion approved.** The committee will be inviting all of the local taxi businesses to a future meeting to discuss the proposed regulations.

Gen. Ord. 20-12-13 (7-16-12)

An ordinance amending Section 130-59 of the Municipal Code entitled “Regulations” so as to add a new subsection (d) thereof relating to required vehicle markings for taxicabs.

Since the other proposed taxicab regulation ordinance does include a provision regarding lights and signage, Ald. Kath moved, seconded by Ald. Matichek, to file Gen. Ord. 20-12-13. **Four ayes; motion approved.**

Com. No. 4-12-13 (7-16-12) – Communication from Christos Balassi

Submitting a communication from Christos Balassi, owner of Greco Cab Co., requesting that a meter system be implemented for all taxi cabs.

Mr. Balassi will be called into a future committee meeting at which the proposed taxicab regulation ordinance will be discussed. Ald. Matichek moved, seconded by Ald. Kath to file Com. No. 4-12-13. **Four ayes; motion approved.**

Discussion regarding available “Class B” alcohol beverage licenses

Discussion regarding the two (2) available “Class B” alcohol beverage licenses. It is very rare to have several licenses available in the City. The committee’s preference is to continue to invite all interested applicants to make presentations to the committee any time someone is interested in an available license.

R.O. No. 132-12-13 (9-4-12) – Various License Applications

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Ald. Kath moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 8997 (Lori M. Barnes) to discuss her application with the committee. **Three ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 4243 (Janet A. Buschmann). **Four ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9701 (Samuel J. Dominguez). **Four ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 5062 (Lisa M. Rountree) to discuss her application with the committee. **Four ayes; motion approved.**

Ald. Matichek moved to call in App. No. 9692 to discuss her application with the committee. **Motion died for lack of a second.** Ald. Kath moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9692 (Erin K. Tyrrell). **Three ayes and one nay (Ald. Matichek); motion approved.**

Ald. Kath moved, seconded by Ald. Lewandoske, to call in Bev. Op. Lic. App. No. 8945 (Erin M. Vreeke) to discuss her application with the committee. **Four ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to grant a license to Taxicab Business Lic. App. No. 2924-MKAB Taxi LLC (Kim Osborn, Agent). **Four ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 9691 (Kathleen J. Fields) to discuss her application with the committee. **Four ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to amend R.O. 132-12-13 to add Taxicab Op. Lic. App. No. 9689 and to grant a license to Taxicab Op. Lic. App. No. 9689 (Kim M. Osborn). **Four ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 9690 (Kris A. Schlenther) to discuss her application with the committee. **Four ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 9687 (Roxella Cassandra Trevino) to discuss her application with the committee. **Four ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. **Four ayes; motion approved.**

Discussion and possible action regarding law violations that may require future action by the Committee

ACA Adams and Lt. Teunissen indicated that they had no such violations to report at this time.

Ald. Matichek made a motion to adjourn. Ald. Kath seconded the motion. **Four ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 3:37 p.m.

The next committee meeting is scheduled to be held on Tuesday, September 25, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.